

BOARD OF BOILER RULES MINUTES
January 11, 2006 Meeting
Tacoma Labor and Industries

Board Members:

Craig Hopkins, Chair

Steve Bacon

Ken Eshleman

Steve Prideaux

Faye Dietz - **Absent**

Linda Williamson, **Secretary**

Other Attendees:

Tony Oda

Bill Gill

Donna Emmingham

Bobbe Hundley

Tony McNamara *

*(ss) – Are the attendees for the Study Session only

The Boiler Board meeting was called to order by the Chair at 10:13 a.m., January 11th, 2006.

The Board approved the agenda as written with no additional items.

The minutes from the last meeting (November 9th, 2005) were reviewed with the following correction: front page, bottom last bullet reads WAC 296-104-~~090~~. It should read WAC 296-~~09~~. Minutes were amended and adopted with the change.

CR101, Department WAC changes: Linda proposed to have the Boiler Section inspection fees increased to the maximum of 2.82% of the 2005 fees. This is the maximum percent increase allowed by the Office of Fiscal Management for 2006. This will be submitted along with any other WAC changes for the September Boiler Board meeting.

Review of the Washington State Commissioned Inspectors exam questions: At the present time we have two exams that we utilize, exam one and two, each comprised of 25 questions. The questions are answered in two parts, the first part requires multiple choices or True/False answers. The second part requires the applicant to supply the appropriate RCW or WAC section the answer was obtained from. In addition, we have a data base of 110 questions that have been utilized in the past. We are in the process of combining all test questions from the new two exams with the older database into one master database. The Board has agreed to review the old test questions and make revisions where necessary. The goal is to operate with a large data base and for the future to have the ability to generate randomly selected questions to make each exam unique. The division of questions is as follows:

Craig Hopkins, questions: 1-22

Steve Prideaux, questions: 23-44

Ken Eshleman, questions: 45-66

Steve Bacon, questions: 67-88

Faye Dietz questions: 89-110

The Board's goal is to complete the review and submit for the agenda by the May 2006 meeting.

Report of Atmospheric Boilers, exempt or not exempt? – This is a question whether the department should or should not exempt any boilers open to atmosphere. It has been the practice of the department not to regulate these applications in the past. This will be on future meeting agendas, for further discussion by the board.

Should the State continue to provide AIA services? - The question is if we should continue this program. At present, the state provides inspection services for five of the 93 code shops in Washington State. Our hourly rate for doing shop inspections is \$37.60/hour far below other AIA company's average of \$92.00/hour. Linda spoke with the Assistant Director about our authorized inspection services. . The Assistant Director felt it was a service we wanted to continue to provide. So, the department has proposed different fees so we would not be subsidizing the companies that we provide inspection services for. The board has no comments at this time.

Recap of WAC changes:

- 296-104-045 – A concern was raised that the WAC's do not address deputy inspector's duties. Ken Eshleman made some suggested changes. Copies were routed amongst the group with the changes. He then brought to the attention of the Board; RCW 70-79-220 which he felt addressed the requirements for all inspections by all inspectors. After some discussion it was determined that RCW 70.79.220 did sufficiently describe the duties for all inspectors, and no other changes would be required. . The Board requested the department contact Larry Leet to inform him of the decision.
- CSD1 2004 Edition– After a full review of this document, Ken Eshleman stated that most changes were editorial in nature, and no major changes were incorporated and the Board accept the 2004 Edition. Craig suggested to Ken that he revise WAC 296-104-200 to reflect this change.
- RCW 70.79.060/290/300/310 & 320 terminologies – assigned to Faye Dietz, absent at this meeting. It refers primarily to terminology and inconsistencies in the RCW's and WACs specifically pertaining to operating permits and inspection certificates making a determination clarifying these WACs. A recommendation will be made by her at the next meeting.
- Review of an old WAC 296-09 – Steve Bacon and Donna Emmingham, AAG reviewed the old WAC section that had not been updated since 1960. Steve stated this WAC could have a possible conflict with our other WACs. Donna concurred that the reason this was brought to the Boards attention is after reviewing these the department has identical WACs, procedural WACs 296-08 that they are reviewing almost to there entirety and so for to have identical WACs that had not been touched between that time there have been numeral amendments. Steve and Donna recommendation to repeal the entire WAC 296-09 section which would be

WAC 296-09-010 through 296-09-590. Steve motioned to have the department proceed with the necessary actions and proper paperwork to repeal WAC 296-09. Motion passes.

- WAC 296-104-700 – Linda proposed the Board to consider new fees that would be in association with the authorized inspection agencies. Our hourly rates are far behind compared to other states and our own agency programs. We asked the board to review WAC 296-104-700. To address this, the department proposes specific fees for each inspector. The Board broke into executive session to discuss this proposal at 10:35 along with Donna Emmingham and Linda Williamson. Executive session ended at 10:50 am with the determination/recommendation by the Board as follows: To have the department take the item to the Legislature. The initiative that restricts fee increases limits those fee increases to 4% of unless higher increases approved by the Legislature.
- WAC 296-104-303 - Steven Prideaux stated that WAC 296-104-303 should read: a manually remote shut down switch or circuit breaker **“shall”** be located just outside the boiler room door and marked easily for identification. The Board agreed with this assessment and will replace “should” with “shall” to reflect the actual wording in CSD 1, part CE-110.

Department Notes –

Linda brought up a hot water piping system that is also used for hot water storage. There were some questions about whether this design should be regulated as a pressure vessel. After reviewing this system and looking at other instances the department has decided this system will be considered a piping system and exempt from our inspections. This practice is used in several different applications such as the hydraulic, compressed air, refrigeration systems and this one was actually brought up because it was used in a hot water heating system. The department feels this piping system is not a safety concern.

Meeting adjourned at 11:12 a.m.

LW:bh